

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

JOHN PYLES, et al.,	:	NO. 1:12-CV-00447
	:	
Plaintiffs,	:	
	:	
v.	:	<b>ORDER</b>
	:	
P.A.M. TRANSPORTATION SERVICES,	:	
INC., et al.,	:	
	:	
Defendants.	:	

This matter is before the Court on Defendant, Great American Insurance Company's Motion for Partial Summary Judgment (doc. 52), and Plaintiffs' Response (doc. 59).

Defendant moves for partial summary judgment as to Plaintiffs' claims of bad faith and breach of contract with respect to allegations concerning alleged miscalculation of temporary total disability benefits (doc. 52). Plaintiffs indicate they do not intend to pursue such allegations as a basis for liability, and therefore they do not oppose dismissal of claims regarding payment of disability benefits (doc. 59).

Having reviewed this matter, and noting Plaintiffs do not oppose Defendant's motion, the Court finds such motion well-taken. Accordingly, the Court GRANTS Defendant, Great American Insurance Company's Motion for Partial Summary Judgment (doc. 52) as to Plaintiffs' claims concerning alleged miscalculation of TDD

benefits.

SO ORDERED.

Dated: May 28, 2013

s/S. Arthur Spiegel

S. Arthur Spiegel

United States Senior District Judge